

# DECLARATION FOR PATENT APPLICATION

Docket No. **ENZ-53**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## NOVEL PROPERTY EFFECTING AND/OR PROPERTY EXHIBITING COMPOSITIONS FOR THERAPEUTIC AND DIAGNOSTIC USES

the specification of which

(check one) ☐ is attached hereto.

☒ was filed on **December 15, 1995**, as U.S. Patent Application Serial No. 08/574,443  
and was amended on \_\_\_\_\_, 1994 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the application:

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ronald C. Fedus, Esq., Reg. No. 32,567.

Address all telephone calls to: Ronald C. Fedus, Esq., at telephone no. (212)-856-0876  
Address all correspondence to: Ronald C. Fedus, Esq., Corporation & Patent Counsel  
Enzo Biochem, Inc.  
575 Fifth Avenue - 18th Floor  
New York, NY 10017

465311-2E982680

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Elazar Rabbani  
Third Inventor's signature [Signature] Date DEC 20 1995  
Residence 69 Fifth Avenue (No. 19A) New York, New York 10003 Citizenship United States  
Post Office Address (Same as above)

Full name of second joint inventor, if any Jannis G. Stavrianopoulos  
First Inventor's signature [Signature] Date 12/28/95  
Residence 99 South Clinton Avenue (No. 11D) Bay Shore, New York 11706 Citizenship United States  
Post Office Address (Same as above)

Full name of third joint inventor, if any James J. Donegan  
Fourth Inventor's signature [Signature] Date 12/28/95  
Residence 210 East Broadway (No. 3G) Long Beach, New York 11561 Citizenship United States  
Post Office Address (Same as above)

Full name of fourth joint inventor, if any Dakai Liu  
Fourth Inventor's signature [Signature] Date 12/26/95  
Residence 2 Patricia Court, Bethpage, New York 11714 Citizenship Republic of China  
Post Office Address (Same as above)

Full name of fifth joint inventor, if any Norman E. Kelker  
Second Inventor's signature [Signature] Date December 20, 1995  
Residence 343 East 30th Street (No. 2J), New York, New York 10016 Citizenship United States  
Post Office Address (Same as above)

Full name of sixth joint inventor, if any Dean L. Engelhardt  
Second Inventor's signature [Signature] Date December 20, 1995  
Residence 173 Riverside Drive (No. 6D) New York, New York 10025 Citizenship United States  
Post Office Address (Same as above)

\* \* \* \* \*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Elazar Rabbani et al.  
 Serial No.: 08/574,443  
 Filed: December 15, 1995  
 For: NOVEL PROPERTY EFFECTING AND/OR PROPERTY EXHIBITING COMPOSITIONS FOR THERAPEUTIC AND DIAGNOSTIC USES

Group Art Unit: Not Yet Known

Examiner: Not Yet Known

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27 (c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN ENZO THERAPEUTICS, INC.

ADDRESS OF CONCERN c/o ENZO BIOCHEM, INC.  
575 FIFTH AVENUE (18TH FLOOR)  
NEW YORK, NEW YORK 10017

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Rule 35, United States Code, in that the number of employees of the concern, including those of its affiliates does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled:

**NOVEL PROPERTY EFFECTING AND/OR PROPERTY EXHIBITING COMPOSITIONS FOR THERAPEUTIC AND DIAGNOSTIC USES**

by inventor(s)

Elazar Rabbani et al.

described in

- ☐ the specification filed herewith  
☒ Application Serial No. 08/574,443, filed December 15, 1995  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

( ) Individual ( ) Small Business Concern ( ) Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

HARRY W. WEINER

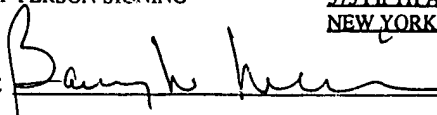
TITLE OF PERSON OTHER THAN OWNER

EXECUTIVE VICE PRESIDENT

ADDRESS OF PERSON SIGNING

575 FIFTH AVENUE (18TH FLOOR)  
NEW YORK, NEW YORK 10017

SIGNATURE



DATE MARCH 8, 1996

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